

Docket No.: 043888-0447

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 53080
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Tetsuya HAYASHI, et al.	:	Confirmation Number: 9484
	:	
Application No.: 10/576,421	:	Group Art Unit: 1795
	:	
Filed: April 19, 2006	:	Examiner: Rademaker, Claire L
	:	
For: LITHIUM ION SECONDARY BATTERY AND PRODUCTION METHOD THEREOF	:	

RESPONSE TO OFFICE COMMUNICATION RE: NON-COMPLIANT

APPEAL BRIEF (37 C.F.R. § 41.37)

Mail Stop Appeal Brief
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Official Communication issued February 24, 2010 regarding the Appeal Brief filed July 9, 2009. The Notice of Non-compliance has a 30-day shortened statutory period for response set to expire March 24, 2010.

REMARKS

The Official Communication (37 CFR 41.37) stated that the Brief 1) does not contain a concise explanation of each independent claim (claims 1, 5) which refers to the specification by page and line number. A Corrected Summary of Claimed Subject Matter is being filed to correct the errors in the previously filed Appeal Brief.

Summary of Claimed Subject Matter

Independent claim 1 recites a lithium ion secondary battery including an electrode group that comprises:

(1) a winding core, (Spec. 5:25-26)

(2) a positive electrode comprising a positive electrode core member and a positive electrode active material layer carried on said positive electrode core member, (Spec. 5:26-6:3)

(3) a negative electrode comprising a negative electrode core member and a negative electrode active material layer carried on said negative electrode core member, (Spec. 6:3-6) and

(4) a porous film formed on at least one of said positive electrode and said negative electrode, (Spec. 6:6-7)

wherein said porous film comprises a filler and a binder, (Spec. 6:7-8)

said positive electrode and said negative electrode are wound around said winding core, (Spec. 6:8-10) and

said positive electrode and/or said negative electrode have/has, on the initial winding side, a region where said active material layer is carried on neither side of said core member and an adjoining region where said active material layer is carried on only one side of said core member. (Spec. 6:10-15)

Independent claim 5 recites a method for producing a lithium ion secondary battery, comprising the steps of:

(a) forming a positive electrode active material layer on both sides of a positive electrode core member, to obtain a positive electrode, (Spec. 7:9-13)

(b) forming a negative electrode active material layer on both sides of a negative electrode core member, to obtain a negative electrode, (Spec. 7:13-16)

(c) forming a porous film that comprises a filler and a binder on a surface of said positive electrode and/or said negative electrode, (Spec. 7:16-18) and

(d) winding said positive electrode and said negative electrode around a winding core, to obtain an electrode group, (Spec. 7:18-20)

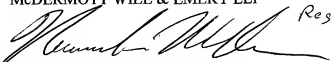
wherein said step (a) and/or said step (b) comprise/comprises the step of providing, on the initial winding side of said positive electrode and/or said negative electrode, a region where said active material layer is carried on neither side of said core member and an adjoining region where said active material layer is carried on only one side of said core member. (Spec. 7:20-26).

Application No.: 10/576,421

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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